

Case 1:10-cv-01431

Filed May 7, 2010

CA

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

FILED

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May 7 2010

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

UNITED STATES *ex rel.*
ZOJO SOLUTIONS, INC.,

Plaintiff,

v.

ZIRCON CORPORATION,

Defendant.

Civil Action No. 1:10-cv-01431

Hon. Harry D. Leinenweber

JOINT MOTION TO STAY PENDING RESOLUTION OF
STAUFFER v. BROOKS BROTHERS, INC.

Plaintiff, Zojo Solutions, Inc., and Defendant, Zircon Corporation, respectfully move this Court to stay this action pending the Federal Circuit's decision in *Stauffer v. Brooks Brothers, Inc.*, Appeal Nos. 2009-1428, -1430, -1453 (Fed. Cir. Feb. 17, 2010), which will likely bear upon this Court's consideration of whether Zojo Solutions, Inc. has Article III standing to bring this *qui tam* action, simplify the issues in this case, and conserve judicial resources.

Paul M. Hletko of Cardinal Law Group has agreed on behalf of Plaintiff, Zojo Solutions, Inc., and has authorized the undersigned to make this representation to the Court.

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The parties will advise the Court of the outcome in *Stauffer* within seven (7) days of the decision by the Federal Circuit. The parties respectfully request that the Court hold a status hearing on or around October 15, 2010. Zircon Corporation's responsive pleading to Zojo Solutions, Inc.'s Complaint shall be due thirty (30) days after the Court lifts the stay in this case.

Respectfully submitted,



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May 7, 2010

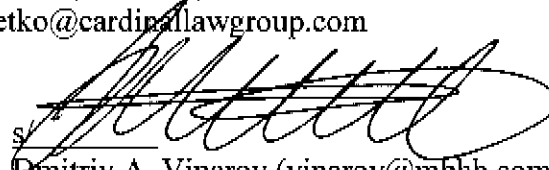
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on May 7, 2010, a copy of the foregoing was served via electronic mail, on the following attorney of record:

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ORDER

GOOD CAUSE APPEARING, it is hereby ORDERED as follows:

The Court adopts the parties' joint motion to stay.

1. The above-captioned action is stayed and placed on the Court's suspense docket pending resolution by the Federal Circuit of *Stauffer v. Brooks Bros. Inc.*, Appeal Nos. 2009-1428, 2009-1430, 2009-1453;
2. The parties will advise the Court of the outcome in *Stauffer* within seven (7) days of the decision by the Federal Circuit.
3. A status hearing will be held on October __, 2010.
4. Zircon Corporation's responsive pleading to Zojo Solutions, Inc.'s Complaint shall be due thirty (30) days after the Court lifts the stay in this case.

Dated: _____

Harry D. Leinenweber
United States District Judge